THE COURTS.

A Batch of Habeas Corpus Cases in Court.

SUITS AGAINST PACIFIC MAIL WITHDRAWN

Removing a Valuable Stock of Goods-\$50,000 Damages Claimed.

Yesterday was what may be called "habeas corpus day" in Supreme Court, Chambers, judging from the number of applications disposed of under the great writ of right. Among others was one in which Au-gusta Amelia Logan had a writ of habeas corpus issued her favor by Judge Barrett, in Supreme Court, Chambers. She is now, and has been for some time, in charge of a Mr. and Mrs. Bates, but her custody is that she is the girl's aunt; that she has always taken care of her since her mother's death; that there is now some money coming to her, and the present efforts of her father to get possession of her is in the kope of getting control of this money. The matter is

to be heard to day.

Peter Reuter is imprisoned in Ludlow Street Jail to: contempt of Court, in not having paid alimony to his wife, now amounting in the aggregate to about \$4,000. Already has the Court been appealed to to liberate Peter, on the ground of humanity. Yesterday his counsel, Mr. Wilkes, made another appeal to the Court, this time on the ground that there was no authority to imprison a man as for contempt in not bbeying an order to pay alimony. Judge Barrett, before whom the motion was heard, in Supreme Court, Chambers, yesterday reserved his decision.

Application was made to Judge Barrett, in Supreme

Court, Chambers, yesterday for a writ of habeas corpus in favor of Emma G. Guerther, a girl of six years. The child's parents are dead, but her grand parents are in Switzerland. Joseph Koeible, claiming to be the agent of the grand parents, seeks her custody for the purpose of sending her to them; but Charles E. Johnson, in whose custody she has been, refuses to give her up until he is paid \$230, which he claims to be due for her board. The writ was granted,

reclaims to be due for her board. The writ was granted, returnable to-day.

A will of habeas corpus was issued yesterday by Judge Barrett, in Supreme Court, Chambers, in tavor of Ada Teresa McNamara. The petitioner is now about tweive years of age, and some years ago had been given in charge by her mother to Mrs. Sarab V. Kerly, At that time the child's latner was in California, and now some of her remaives want to obtain her custody for the purpose of sending her to her lather. On a similar application being made some time since it was denied until the court should be satisfied of the lather's abinty to properly care for her. Now the application is reflewed, with further testimony on this point. Argument will be heard on the return to the writ to-day. Thifly Guiman is imprisoned in default of \$500 ball that he will pay his whe the sum of \$5 per week. He hake to be discharged on the ground that he is earning no money and his not for a long time, and that the list is he never abandoned his wife, but she abandoned him. The matter was to have been heard before Judge Barrett in Supreme Court, Chambers, yesterday, but was adjourned over until to-day.

The suit on the two-million-dollar mortgage, created by Dillon and Gould on the property of the Pacific Mail Steamship Company, heretofore noticed in the HERALD, was withdrawn yesterday. Also a suit against Dilion and Gould on behalf of the Pacific Mail Steamship Com-pany for adeged malleasance in office. These two suits, which more than a year ago were inaugurated with much éclat by Mr. Haten, through Messrs. Sewell & Pearce, his attorneys, against Messrs. Gould, Dillon, & Pearce, his attorneys, against Messrs. Gould, Dillon, Huntington and others, who appeared by Mr. H. S. Bennett, their counsel, have now finally and unostentationally disappeared from the courts. The first named suit was in the Supreme Court and was fought for the purpose of declaring invalid the mortgage for \$2,000,000 fined against the steamships of the company. The second was brought in the Superior Court to compai Messrs. Dillon and Gould to account for alleged acts of manicasance while acting as directors for that company. Enther unwilling or unable to substantate the numerous averments and charges made in the companies in plaintiff has seen fit to now abandon them, so fir as Dutam and Gould are concerned, but the latter can still holds good, so far as the Pacific Mail Steamship Company is concerned. The formal orders of discontinuance were filed in court by Mr. Bennett yesterday.

A FIFTY THOUSAND DOLLAR DAM-

AGE CASE.

Schloss Brothers, of this city, had a judgment and execution against a party named Cautto. The latter was accustomed occasionally to store some goods in the store of Mr. M. Mahler. Under the direction of Schloss Brothers the sheriff entered Mr. Mahler's store and cleared out his entire stock. For the damages resulting from this slieged unlawful act Mr. Mahler brought a suit to resover \$50,000 against Schloss Brothers. This resulted in a verdict by the jury in party in the store of the creates and interposed separate in a verdict by the jury in party in the store and cleared out his entire stock. For the damages resulting from this slieged unlawful act Mr. Mahler brought a suit to resover \$50,000 against Schloss Brothers. This resulted in a verdict by the jury in party in the store and cleared out his entire stock. For the damages resulting from this slieged unlawful act Mr. Mahler brought a suit to resover \$50,000 against Schloss Brothers. This resulted in a verdict by the jury in party in the store and cleared out his entire stock. For the damages resulting from this slieged unlawful act Mr. Mahler brought a suit to resover \$50,000 against Schloss Brothers. This resulted in a verdict by the jury in the store and cleared out his entire stock. For the damages resulting from this slieged unlawful act Mr. Mahler brought a suit to resover \$50,000 against Schloss Brothers. This resulted in a verdict by the jury in the store of the united states. I desire to counsel wishes to be heard. The mr.—Held by Judge Sadgwick, Speir and Freedman.—Nos. 26, 27, 31, 32, 33, 43, 35, 37, 28, 40, 41, 15, 42, 43, 44.

Settention Counter—General Tenn—Held by Judge Sadgwick, Speir and Freedman.—Nos. 26, 27, 31, 32, 33, 43, 35, 37, 28, 40, 41, 15, 42, 43, 44.

Settention Counter—General Counter—Settline Tenn—Held by Judge Sadgwick, Speir and Freedman.—Nos. 26, 27, 31, 32, 33, 43, 35, 37, 28, 40, 41, 15, 42, 43, 44.

Settention Counter—General Tenn—Held by Judge Sandford.—Case on, Atlantic and Freedman.—Nos. 26, 27, 31, 32, 33

Gassman & Co, made a note for \$700, payable to the order of J. S. Graber, who sold it to Garret D. Clark for \$600, and it not being paid he brought suit in the Marine Court to recover the amount of the note. The makers and the inderser. On the trial before Judge Scopp, the plaintiff was non-suited although he regoepp, the plaintiff was non-suited although he reprovince to mus a verdicat for the plaintiff for the \$600
he paid. On appeal the General Term of the Marine
Court, composed of Judges Suea, McAdam and Simout,
affirmed the runing of Judge Goepp. Appeal was taken
to the Common Pleas Court and upon argument by
Mir. A. H. Reavey for the appealant, and Mr. Gould for
the respondent, Chief Justice Daly and Judges Robinsan and Larremore have unactinously reversed the
decision below, upon the ground that the facts should
have been submitted to the Jury.

A LUCKY ESCAPE.

William W. White, a letter carrier employed at station D, who was arrested some weeks ago on a charge of embezzing letters, was tried yesterday before Judge Senedict. From the evidence it appeared that White had been suspected for some time previous to his arrest, and Special Agent Sharratt formed a plan to entrap him. He was intrusted with the delivery of

SUMMARY OF DAW CASES Juige J. F. Daly, yesterday, in Special Term of the case of Frederick Gemp against James Pratt, in waich he boids that the service of a summons and complaint issued from that Court in this city is good nithough served on a defendant residing out of the county, and this, he says, is also in accordance with

the provisions of the new code. Leutin Mitchel has brought a suit for divorce against her nusband John. She says they were married in Bath, England, in December, 1856; have had three children, and that her husband has returned to Bath and lives there with another woman in violation of his marriage contract. She asked the Court for an

of his marriage contract. She asked the Court for an order directing the service of process by publication, and Judge Barrett, in Supreme Court, Chambers, granted it to her yesterday.

Maria Olin charges that Sebastian Gerlach seduced her under a promise of marriage, and she thinks he should marry her or else pay her \$10,000 damages to her reputation and affection. The trial of a soit brough to recover this sum was commenced yesterday tetore Judge Van Hocken in the Court of Common Pleas. The defendant answers by admitting intercourse, but depying any promise to marry. There was considerable testimony taken throughout the day, but the details are until for publication.

James Lafor and Andrew Fagin were yesterday held by Commissioner Oxforn in \$500 bail each for examination on a charge of passing fity-cens counteries tool of the United States at the fiquor saloon of B. F. Menaily, No. 272 Monroe street.

The three saits brought by the government against Patrick H. Jones, former; Fostmaster of this city and his eight streets, to recover moneys emerzied by

offered for probate. The testator instructs his executor, Peter Hue, to convert all his property into cash for the benefit of his wife. Mary, and to invest the nr ceeds in one or more savings banks in the city of New York, using a sound discretion in the selection of anch bank or banks as to their condition or

SUPREME COURT-CHAMBERS.

By Judge Barrett.

Gorskie vs. Rotter.—Motion to vacate order of arrest denied, but the bail is reduced to \$250.

Swift vs. Hirsch.—I know of no authority for a motion of this description. Denied, without costs.

The Rogers Lecomotive and Machine Works vs. Kellev.—An order upon the decision of the motion has already been segmed.

Swift vs. Hirsch.—I know of no authority for a motion of this description. Denied, whost costs.

The Rogers Locomotive and Machine Works vs. Reliev.—An order upon the decision of the motion has already been signed.

Buckingham vs. Carning.—Motion for injunction, pen nente lite, denied and temporary injunction dissoived, with \$10 costs.

Fowier vs. Vincent.—Motion to change place of trial, on the ground of the convenience of witnesses and the promotion of the ends of justice, granted, with \$10 costs to abide the event.

Matter of widening Broadway between Thirty-fourth and Fifty-finith airceis.—The order to show cause granted, but the frightention can only be granted, if at all, upon the terms as to security specified in the Codo of Remedia Justice.

Matter of the Shafer Farm Oil Company.—Report confirmed, corporation dissolved and M. D. L. Arnold appointed recover on giving bond in \$5,000.

Fehrer vs. Concept.—I find these papers among those rent up for examination, but I believe the matter was decided upon the argument and that the order has never been settled.

Fotey vs. Rathbone.—Order settled.

Sprague vs. Olcott.—The action is not to defermine an estate or interest in real property, but to obtain satisfaction of the plaintiff's judgments from the real estate of the testator. Motion denied, with \$10 costs.

Tippett vs. McAndrew.—Motion denied, with \$10 costs.

Tippett vs. McAndrew.—Hotion denied, with \$10 costs.

Typett vs. Samma.—Two witnesses plaintiff and another) testifty that detendant was at plaintiff's and another) testifty that detendant was at plaintiff's office. Petty cannot prove a negative upon the whole. A case for an, assault is made out and the motion should be denied, with \$10 costs.

Bedelf vs. Cohn.—Motion denied upon plaintiff and another) testifty that detendant was at plaintiff's office. Petty cannot prove a negative upon the whole. A case for an assault is made out and the motion should be denied, with \$10 costs.

Bedelf vs. Cohn.—Wotion denied upon plaintiff's stipplating regardered i

Motion granted.

Notan vs. Coleman.—There is a conflict as to whether the \$20 was to be in full or upon account. But the fact must be found in plaintiff's favor, as it is not defined that he wrote to the defendant, stating his view of the reatter, and threatening judgment, but without cliciting any response. Motion denied, with \$10 costs, with heave upon payment of such costs to move upon fresh paper, showing merits to open the default, and to be allowed to come in and defend.

Percy vs. Parsons et al.—The motions in the various cases to vacate the orders extending the time to answer are denied, with \$10 costs. The orders were in accordance with the usual practice, and were entirely regular. There was no ground whatever for the motions to set aside such orders. The motions in the various actions to set aside the summons shall be subscribed by an attorney. The objection was not waived because the defendants were misled by the form of the subscription and were not aware until the combinat was served that the summons was in reality subscribed by the plaintiff himself. The Judiciary act of 1847 is not applicable, because section 128 of the Code makes a later and express provision as to the form of the subscription and were not aware until the combinated was served that the summons was in reality subscribed by the plaintiff himself. The Judiciary act of 1847 is not applicable, because section 128 of the Code makes a later and express provision as to the form of the summons when the courts have no right to disregard. But further, the section in question of the Judiciary act has been hed to be unconstitutional, and it is now made a mislomeanor for any one to make it a business to practice or to ask demand or receive directly or indirectly any compensation for any one to make it a business to practice or to ask demand or receive directly or indirectly any compensation for any one to make it a business to practice or to ask demand or receive directly or indirectly any compensation for any one to make a disclose of the s

peared by different attorneys and interposed separate answers I am of the opinion that they are each entitled to tax a bif of costs. The case of Hege vs. Robertson, 38 Superior Court Reports, p. 59, is not in point for the reason that in that case the defendants appeared by the same attorney and the delences were the same. (See opinion of Mouell, C. J., p. 61.) The case of Alien vs. Wheeler, 56 N. Y., p. 50, relates to cases under section 306 of the Code, t. e., where the plaintiff fails as to one defendant and recovers against the other.

SUPREME COURT-SPECIAL TERM.

By Judge Lawrence.

Halstead vs. Seaman.—Counsel for the plaintiff will oblige the Court by a reference to the section of the present code restricting the power of the Court in the matter of allowance.

By Judge Van Vorst.

Thomson vs. Thomson et al.—Findings settled. See memorandum.

memorandum.
Devoe et al. vs. Boyd et al -- Complaint dismissed.

Opinion.
Powers, &c., vs. Cassidy, &c.—Motion granted and

Powers, &c., vs. Cassidy, &c.—Motion granted and new parties added. See memorandum.

The Manhaitan Life Insurance Company vs. McCool of al.—Judgment for plaintiff; hability of defendant Crawford is established.

By Judge Van Brant.

Schwartz vs. Samuels et al.—See opinion.

Bost, &c., vs. Richards et al.—The case of Hartley vs. Harrison, 24 New York, 170, does not change the views expressed by me in the case of Whiting vs. Gearty, decaded at the March Special Term. The demorrer must be sistained, with costs.

Loomer et al. vs. Huntington. &c.—The cases of Russeli vs. Whipple, 2 Cowan, 536, and Peels vs. Brat, 66 Barn, 662, jully sustain the complaint in this action. The demurrer overrules, with costs.

Wickiam vs. Allen.—The case of Osgood vs. Ogden, 4 Keys, 70, seems to be precisely in point. The demurrer must theirclore be sustained.

COMMON PLEAS—SPECIAL TERM.

COMMON PLEAS-SPECIAL TERM. Atkinson vs. Appleby, --Motion granted.
Whitmore vs. Wuitmore, --Divorce granted.
In re application of lisen, --Discharge granted. See

The application of research and the control of the

By Chief Justice C. P. Daly. Sene vs. Koehler.—Findings and decree signed. COMMON PLEAS -- EQUITY TERM.

By Chief Justice C. P. Daly Dayhn va Crossman; Matter of Oakley.—Orders MARINE COURT-CHAMBERS.

MARINE COURT—CHAMBERS.

By Judge McAdam.

Haywood vs. Wellz.—The bond required as security for costs in case of non-residents must be conditioned for payment on demand of the obligors and not on demand of the plaintiff, (See 18 Abb. Pr., 13; I How. Pr., 100; 5 Hill, 38.) The detendant's maion wit, therefore, be granted, utless within five days the plaintiff causes a new undertaking in proper form to be fised and served.

Snyder vs. Maguire; Emmons vs. Berens; Warburton vs. Simpson; Miller vs. Bode; Bode vs. Bode.—Orders soitled.

Striffer vs. Schlit.—Edward Jacobs appointed receiver.

mzak vs. The National Steamship Company. -- Mo-

lon granted. No costs,
Pierce vs. Foster.—Motion denied, without costs.
Brinker-holl vs. Van Clear.—Delault will be opened
in payment within five days of \$30 trial fee, otherwise

motion denied.

McCahut vs. Faithee.—Judgment for counter claim.

Haywood vs. Wells.—On account of the stay granted
by Judge Sunport the order for examination will be
set asses without costs, without prejudice to an application for a new order after filing the proper bond for

nosts.

Henry vs. Phillips.—Notion to vacate arrest denied; \$10 costs to planniff, to stude event, and defendant may mave a speedy trial if ne desires one.

Loveridge vs. Gibbons.—Judgment for plaintiff,

taking, with two sureties, to be approved of by the Court. Conditioned to pay judgment costs if the order be affirmed.

Goben vs. Kamak.—Defendant must appear on the 19th and submit to an examination or be committed. Kirtland vs. Solomon.—Substitution ordered in place of deceased attorney.

Swift vs. Snow.—Motion denied, without costs.
Caldwell vs. Pullman.—The stay is regulated by the act of 1875, section 51, and the motion will therefore be denied, with \$10 costs. The examination under order must proceed.

Whitney vs. Moore.—Default opened on payment, within four days, of \$15 costs, and the action to be tried on the 21st inst.

Maier vs. Moran; Bernard vs. Stanzig.—Motions denied, withoutcosts.

Whiteman vs. Krizer.—Complaint dismissed.
Oleopheno Uil Company vs. Burkhard.—Motion granted.

Schiereck vs. Heckert.—Order of arrest vacated, without costs, on stipuisting not to sue.
Gould vs. Cartis.—Complaint dismissed.
Obserner vs. Thele.—Defendant discharged from arrest.

Shock vs. Hollister; Paltberg vs. Spracton: Barnes

shook vs. Hollister; Paltberg vs. Spracton; Barocs vs. Doonen; Griswold vs. Chidwick; Yaugha vs. Russell; Kelly vs. Clan Ranaid; Kirdand vs. Solomon; Downey vs. Monange.—Orders granted. Semnacher vs. Meyer.—No costs allowed.

By Judge Alker.

Proctor vs. Easter.—Case settled and filed.

GENERAL SESSIONS-PART 1.

STEALING A GOLD WATCH. Henry Willemeyer, of No. 10 Little Twelfth street, was arraigned on the charge of stealing a gold watch It appears that while the complainant was conversing at the corner of Nineteenth street and Tenth avenue the prisoner brushed against him, and snortly after ward Mr. Van Tine's watch disappeared. The pris-oner, who was in the immediate vicinity, was taken into custody, and when called for trial yesterday pleaded not guilty. The jury, however, convicted him on the evidence adduced, and the Recorder sent him to the State Prison for three years and six months.

THE KNIPE AGAIN. Thomas Lamb, No. 339 East Thirty-first street, entered the liquor store at No. 331 in the same locality, and as the barkceper, James McKeegan, was about to

PELONIOUS ASSAULT WITH A PISTOL. George Beatty, No. 117 Bleecker street, fired a pistol at James Larney, No. 147 Sullivan street. Fortunately

> GENERAL SESSIONS-PART 2. Before Judge Gildersleeve. BURGLARS CONVICTED.

William Dempsey and Michael Larkin were arraigned by Assistant District Attorney Lyon charged with burglary. On the night of the 27th of April the shoe store of Michael Sullivan was broken open and prop-

Henry Harper, a watter, on the 9th of April broke into the billiard saloon of Maurice Daly, Union square and stole a number of billiard balls, valued at \$120

and stole a number of billiard balls, valued at \$120.

He pleaded guilty and was sent to the State Prison for one year and six months.

John Dorsey, No. 322 East Twelfth street, stole a pocketbook, containing \$5, from Elizabeth Waison, of No. 306 East Twenty-fourth street, and Henry Charles, of No. 124 Thompson street, relieved Lottic Shepperd of \$2 30 in a similar manner. Dorsey was sent to Sing Sing Prison for two years and Charles for half that term.

COURT CALENDERS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Barrett —Nos. 72, 77, 113, 119, 125, 126, 143, 216, 218. Call from No. 231 up to and including No. 299.

SUPREME COURT—GENERAL TERM—Held by Presiding Judge Davis, Judges Brady and Daniels.—Nos. 175, 176, 148, 169, 96, 111, 113, 140, 140, 149, 162, 167, 159, 80, 126, 171, 172, 173, 174, 177.

SUPREME COURT—SPECIAL TERM—Held by Judge Van Brunt.—Nos. 65, 229, 160, 371, 373, 375, 376, 275, 226, 186, 223, 303, 304, 280, 184, 274, 187, 303, 294, 597, 399, 266, 474, 402, 405, 408, 409, 410, 412, 413, 414, 415, 416, 417, 418, 419.

SUPREME COURT—CHRUIT—Part 1—Held by Judge Dononue.—Nos. 3173, 2985, 3271, 3361, 4673½, 4723, 99, 3285, 155, 2721, 10383, 4647, 2767, 3291, 3971, 3003, 1729½, 3389, 3413, 3437, 4385, 4797, 3481, 3495, 4911, 1001½, 2719, 428, 3313, 3517, 3325, 3551, 3527, 3525, 3551, 3527, 3525, 3551, 3525, 3551, 3527, 3529, 3581, 3583, 3585, 3587, 3591, 3593, 3601, 3507, 3509, 3231, 3613, 27412—Acquirned until next Monday. Part 3—Held by Judges Sedgwick, Speir and Freedman.—Nos. 26, 27, 31, 32, 33, 31, 33, 37, 38, 40, 41, 18, 42, 43, 44.

SUPERIOR COURT—GENERAL TERM—Held by Judges Sandford.—Case on, Atlante and Pacific Telegraph Company vs. Freescott et al. No day calendar.

SUPERIOR COURT—SPECIAL TERM—Part 1—Held by Chief Justice Curtis.—Case on, No. 779. No day calendar.

COMMON PLEAS—GENERAL TERM—Held by Chief Justice Curtis.—Case on, No. 779. No day calendar. COURT CALENDERS-THIS DAY.

COMMON PLEAS—EQUITY THE Daily.—No day caiendar.

COMMON PLEAS—THIAL TERM—Part 1—Held by Judge Van Hoesen.—Nos. 1050, 237, 714, 473, 1539, 1225, 1192, 630, 269, 1050, 953, 1039, 966, 885, 1135, 925, 688, 76, 634, 639, 425, 740, 1223, 727, 661, 1592, 486, 483, 382, 914. Parts 2 and 3.—Adjourned until first Monday of the company of the c

MARINE COURT-TRIAL TERM-Part 1-Held by Judge

Marine Court—Trial Term—Part 1—Held by Judge Sheridan.—Nos. 6126, 8394, 3123, 8892, 8891, 8037, 8848, 8896, 8794, 7199, 6647, 5987, 6213, 6226, 6228, Part 2—Held by Judge Goepp.—Nos. 8973, 8502, 9430, 9382, 8750, 8752, 8763, 8788, 506, 5933, 8574, 3739, 8811, 4364, 3970. Part 3—Held by Judge Alker.—Nos. 3085, 6011, 5468, 3338, 8931, 8866, 6475, 6203, 6205, 6207, 6208, 6218, 6219, 6221.

COURT OF GENERAL SESSIONS—Part 2—Held by Judge Gildersleove.—The People vs. John Spielman, homicide; Same vs. Thomas Cusick, homicide; Same vs. Joseph Ballard, homicide; Same vs. John Spielman, homicide; Same vs. Homas Lynch, James Dougherty and William Keele, homicide; Same vs. James Blake, homicide; Same vs. Philip Engel, homicide: Same vs. John Conohen, adulterating milk; Same vs. John Conohen, adulterating milk; Same vs. John Eggers, adulterating milk; Same vs. John Friing, adulterating milk; Same vs. John Fering, adulterating milk; Same v

SUPREME COURT CALENDAR.

The General Term of the Supreme Court of the Second district convened to-day. There was a large attendance of lawyers. The following is the calendar for Tuesday:—Non-enumerated, 10; preferred, 1, 3, 4, 10 13, 22; enumerated, 1, 6, 7, 8, 10, 11, 12, 13, 16, 17, 21, 22, 26, 27, 28, 30, 32, 33.

NEW JERSEY MUTUAL PREMIUMS. A report having been started that the policy holders

of the New Jersey Mutual were about to receive a gratifying settlement at the hands of Receiver Parker, his

attorney, Mr. McCarter, has prepared the following tatement !- "The premiums paid to Governor Parker, the receiver of the New Jersey Mutual Life Insurance Company, by the policy holders will be relunded, and not the premiums paid to the company before the appointment of the receiver. Considerable time must necessarily chaps before policy bolders will receive a dividend, and the amount, if any, cannot be determined at present. Litigation must ensue before the residue of the assets can be recovered. Compications have arisen with the New York Insurance Department in reference to the deposit at Albany which will prevent the settlement of the affairs of the New Jersey Mutual until the difficulties are solved. Suits will have to be brought against the former directors which will not be determined for several months, and until the assets are recovered there can be so dividend. not the premiums paid to the company before the ap-

"Prompt measures will be taken to convert the assets already received into money, and the clerks are engaged in calculating the habilities. In due time instructions will be sent to the policy holders in reference to the presentation of their claims. Of course a long time must easie before all the assets can be receivered and converted into money and the liabilities assertained. The value of every policy not ispred will have to be calculated, which involves an immense amount of labor."

TRACKING A TRUNK.

Detective Dunn, of the Central Office, yesterday norning succeeded in finding the hackman who on aturday conveyed the trunk of jewelry stolen from the Grand Central Depot from the Pulnam House, that the trunk had been conveyed to an express office. Here for a while the clew was lost, but it was finally taken up, and a railroad depot was found to be the taken up, and a railroad depot was found to be the place where the trunk was at lest taken. From this Leverdage vs. Gibbons.—Judgment for plaintiff, \$1,767.

Foster vs.Tennent.—injunction dissolved.
Biliato vs. Barnado.—Defendant must appear and submit to an examination or be committed.

Rhind vs. Monkow.—Judgment for plaintiff on demurror, with costs.

Phillips vs. Coleman.—Receiver appointed.

Moore vs. Drennan,—Stay vacated.

Bogert vs. Davidson.—The order is appealable; stay will be granted on fliing, within two days, an under-

COMMODORE VANDERBILT'S ESTATE.

A Sequel to the Contest Before the Surrogate.

CORNELIUS J. WANTS HIS MILLION

And He Brings Suit Against William H to Obtain It.

When the will of the late Commodore Vanderbilt was offered for probate before Surrogate Calvin there was every indication of a lively contest. Counsel were employed by the various heirs and legatees under the will to represent their interests in court, but on the day appointed for the argument the contestants unexpectedly withdrew their objections to the probate of the will. This formidable document, representing as it did, the final disposition of an estate valued at \$75,000,000, was thereupon peaceably allowed to pass through the usual preliminary legal formalities and was duly admitted to probate.

A MILLION WANTED.

Of course, this unexpected termination to what promised to be a prolonged and bitter family feud occasioned intense astonishment. Every one had a con-jecture to hazard as to the terms of the procable comknown. So far as known a certain amount is understood to have been promised to the dissatisfied members of the family, including Cornelius J. Vanderbilt, one of the Commodoro's sons. From none of the others has any complaint been hitherto heard that the compromise had not been fully cerried out to their satisfaction, except in the case of Cornelius J. He, it appears from his own

Secenth—That the defendant, to induce the plaintiff to withfraw said objections to the proving and to the probate of said paper writings on the bearing to be had as aforesaid before the said Surrogate on the 13th day of March, 1877, and to permit the same to be proved and admitted to probate as a will of both real and personal estate, promised, bargained and agreed to and with the plaintiff, at the said city of New York, on or about the 12th day of March, 1877, that, in consideration of him (the plaintiff) so withdrawing his objections to the proving and to the probate of said paper writings and making no further opposition thereto before the Surrogate to the proving and the probate of said paper writings at the hearing appointed to be had as aforesaid on the 12th day of March, 1877, that he (the defendant) would pay to him (the plaintiff) the sum of \$1,000,000.

Eighth—That the plaintiff at the city of New York, on or about the said 12th day of March, 1877, promised, bargained and agreed to and with the defendant that, in consideration of the sum of \$1,000,000, to be paid to him (the plaintiff) by the defendant, as promised and agreed by the defendant as aforesaid, he (the plaintiff) would without his objections and make no further opposition to the proving and to the probate of said paper writings purporting to be the last will and testament and the consoil thereto of the said Cornelius Vanderbilt, deceased, on the said hearing appointed to be had before the Surrogate on the 13th day of March, 1877.

North—That said hearing appointed as aforesaid to

of March, 1877.

Ninth—That said hearing appointed as aforesaid to Notin—That said hearing appointed as aforesaid to be held before the Surrogate on the 18th day of March, 1877, was duly held on said day at the said Surrogate's office, and the plains iff then and there in open court withdrew the said objections and obtained the order of the Surrogate to withdraw the objections already filed by plaintiff as aforesaid to the proving and to the probate of the alleged last will and testament and the codictli thereto; and plaintiff did not then and there make, nor has plaintiff since made, any objections or opposition to the proving and to the probate of said Cornelius Vanderbilt, deceased, and the same. The aforesaid objections so being withdrawn were at the date last named in due form of law proved as a will of real estate and recorded accordingly; and letters testamentary were issued thereon to defendant as one of the executors thereof, as opposition being made thereto.

tamentary were issued thereon to defendant as one of the executors thereof, no opposition being made thereto.

Tenth—That no part of said sum of \$1,000,000 has been paid by defendant to plaintift, but said defendant, though often requested, has refused, and still doth refuse to pay the said sum to plaintift.

And for a second and further cause of action the said plaintiff further alleges:—

First—That said plaintiff referates, reaffirms and makes a part of this second cause of action all the statements contained in the first, second, third, fourth, fifth and sixth paragraphs of the foregoing and first cause of action.

Second—That the said defendant, to induce the said plaintiff to withdraw the said objections, and to permit the said paper writings to be proved and admitted to probate as a will of both real and personal estate, promised and agreed, at the city of New York, on or about the 12th day of Marco, 1877, with Mary A. La Ban, the sister of said plaintiff and said defendant, for the beneut of and in behalf of said plaintiff, that if said plaintiff would withdraw his objections to the proving and to the probate of said paper writings, and make no further opposition thereto, and permit the same to be proved and admitted to probate as the last will and testament of Cornelius Vanderbit, deceased, in con-ideration thereof he (s.id defendant) would pay to said plaintiff the sum of \$1,000,000.

Third—That said plaintiff referates, reaffirms and makes a part of this (his second) cause of action all the statements contained in the minth and tenth paragraps of the first cause stated in this complaint.

A timpo cause of actions.

And, for a third and further cause of action, said plaintiff further alleges:—

Fired—That said plaintiff referates, reaffirms and plaintiff further alleges:—

Fired—That and plaintiff referates, reaffirms and

plantiff further alieges —

First—That said plaintiff reiterates, reaffirms and makes a part of this (his third) cause of action all the statements contained in the first, second, third, fourth, fitth and sixth paragraphs of the first cause of action esteed in this computant.

actendant for the sum of \$1,000,000, with interest from the 14th day of March, 1877, besides the costs of this action. ETHAN ALLEN, Attorney for piantiss, and County of New York, se.—Cornelius J. Van-

City and County of New York, ss.—Cornelius J. Vanderbit, being duly sworn, says, that he is the plaintif in this action, and has read the foregoing complaint and knows the contents thereof, and that the same is true of his own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

CORNELIUS VANDERBILT.

Sworn to before me this 14th day of May, 1877—CHARLES E. SANFORD, Notary Public, New York county.

To the foregoing complaint, no doubt, Mr. William H. Vanderbilt, the defendant and executor of the will of the late Commodore, will make his answer in due

THIRD AVENUE SAVINGS BANK. INVESTIGATION BY THE SENATE COMMITTEE

INTO THE CHARGES AGAINST BANK SUPERIN-TENDENT ELLIS. The Senate committee resumed their investigation of the charges against Bank Superintendent Ellis yesterday morning at the St. Nicholas Hotel. The charges were presented to the Governor by Mr. Edward Mallon,

one of the depositors in the bank, and a loser by its fallure of over \$10,000, and are as follows:-That De Witt C. Eilis, Superintendent of the Bank-ing Department, was informed by a written report of George W. Reid, the Bank Examiner, on or about March 28, 1875; that he had examined the Third Avenue Savings Bank, or one 22d and 23d of March,

1875, and found the bank was insolvent.

The same report showed real estate reported by the showing a loss of nearly, \$500,000. Mr. Mallon charges that Ellis allowed the bank to run on under the de-

bore hutherfor beard that the compremise had not been fully carried out to their statisfication, except in the case of Cornelius J. "He, it appears from his own story, was promised \$10.900, but niter he soponition had been withfrawn on this promise the \$5,000,000 was not as promptly pand an anticipated. To recover it he has commenced switt in the Sureme Corra against his older brottle, William H. Vanderbild, with whom the alleged compremie was made, it is all still stil

that the trustees had added \$100,000 to the cost of the bank property; considered the bank at the time of the examination entirely insolvent.

The examination was then adjourned to this merning at ten o'clock.

A WEAK SAVINGS BANK.

THE KINGSTON (R. L.) BANK COMPELLED TO SUSPEND PAYMENT-A RELIC OF THE SPRAGUE

Another bank is in trouble. This time it is the Cingston (R. I.) Savings Bank, and for a week or more reports have been circulated of its shaky con dition. It seems that the bank met with several

severe losses a few years ago, the principal ones being caused by the well known failure of the house of A. & W. Sprague, and it also lost heavily on Northern Pacific Railroad loans. The interest on the Sprague paper has been paid up to July last. Since that time, owever, owing to the great depression in manufacturing circles, the mills of Messes. A. & W. Sprague were obliged to stop running, consequently the trustee of the estate has been unable to meet the mortgages and other paper when due. This, the bank officials claim, together with the general depression of real estate, is the cause of the present crippled condition of the bank. The news of the condition of the bank. The news of the condition of the bank caused quite a number of depositors to apply for their deposits. They were paid in full, but the Board of Directors concluded that if money was to be paid out all the depositors should share alike, and so a meeting was held and it was determined to stop payments in the future. A meeting has been called of the depositors, to be held May 23, at which time the matter of resuming business or putting the bank into the hands of a receiver will come up for consideration. The directors claim that the actual loss of the depositors, as matters now stand, will be one year's interest and about eight per cent of the deposits. If their calculations are correct the condition of the institution is not as bad as was generally supposed. This makes no less than four savings banks which have severely suffered by the failure of the Spragues. The Kingston Bank was considered one of the pest in the western section of the State, and it is hoped that it will come out of its present difficulties without any serious loss to its depositors, who are mostly farmers. together with the general depression of real estate, is

A SAVINGS BANK ROBBED.

MERIDEN, Conn., May 14, 1877. past eleven o'clock this morning. The Secretary was called to the front door by a man in a carriage, and, rear door, opened the vault and took between four and live hundred dolars in money and \$1,600 in Wailingford bonds. The three men are supposed to have gone north by the twenty-five minutes past eleven train.

UNPLEASANT FOR THE DANE. The Danish Consul in this city yesterday received a

despatch from the Chief of the Liverpool police request-ing him to cause the arrest of Rasmus E. Peterson, a native of Denmark, aged thirty-two, on the charge of fraudulently obtaining 10,000 crowns. The Consul reported the case to Superintendent Wailing, who placed it in the hands of Detective Kerns. The latter succeeded is arresting Peterson on board the steamship Engined on her arrival in port yesterday afternoon, and brought him to the Central Office, where, on searching him, \$321 in currency and 306 sovereigns were found. He will be taken to the United States Court this morning.

MARRIAGES AND DEATHS.

ALLAN—RICHARDBON.—On Thursday, May 10, at the residence of the brine's parents, by the Rev. Dr. Beach, Thomas T. Allan to Mary J., caughter of Edward Richardson, all of this city. No cards.

KROHN—HJOUSHERT.—On Thursday, May 10, in Brooking, Franz KROHN, of Detmoid, Germany, to Lina Hjoushery, of Brooking.

MINER—SROWNING.—In this city, on Wednesday, May 9, 1877, at the residence of Joseph T. Farrington, Esq. by the Rev. B. M. Adams, Joseph W. MINER, a Brooklyn, to Camilla Browning, of New York.

BROKER, —Suddenly, at Syracuse, N. Y., May 12, BARRENT BROKER, formerly of Fort Plain, N. Y. BRUN.—On April 13, at Funchal, Island of Madeira, Leo Brun, of this city, 36 years of age, after a long

LEO BLUX, of this city, 36 years of age, after a long sickness.

His body was brought here and will be buried in Union Field Cemetery. The funeral takes place, from 524 East 30th st., on Wednesday, the 16th inst, at one P. M. Friends of the family are invited to attend, Fioral offerings respectfully declined.

BOLAND.—Suddenly, on Monday, May 14, 1877, WHILIAM T. BOLAND, in the 60th year of his age.

Relatives and riends of the family are respectfully invited to attend the funeral, from St. John's Church, Varick St., on Wednesday, the 16th, at one o'clock P. M.

invited to attend the funeral, from St. John's Church, Varick St., on Wodnesday, the 16th, at one o'clock P. M.

Dublin (Ireland) papers please copy.

Baidon.—On Saturday, May 12, 1877, Augusta J., widow of the late Joshua F. Bridge, M. D., in the 51st year of her age.

Relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, No. 115 Remsen st., Brooklyn. on Tuesday, May 15, at two P. M. Please omit flowers.

Berdder.—In this city, at No. 41 West 16th st., after a short illness, Mrs. Lecketta Berdder.

The remains will be taken to Connecticut for interment,

Connecticut papers please copy.

Casselmann.—Suddenly, on the 13th day of May, at Jour P. M., Ferddan N. Casselmann, in the 43d year of his age.

The funeral will take place on Tuesday, May 15, at three P. M., from his late residence, No. 179 Washington st., Hodosen. N. J. Friends and acquaintances are respectfully invited.

Dishrow.—On Sunday, May 13, William D. Disbrow, in his 38th year.

Funeral this (Tuesday) afternoon, at one o'clock, from his late residence, Alexander av., near 135th st. Interment at Woodlawn.

DRYDEN.—May 14, Ellen DRYDEN, daughter of Peter and Johanna Dryden, acced 21.

The Iriends of the family are respectfully invited to attend the Inneral, Wednesday, May 16, at haif-past two o'clock, from the residence of her parents, 107 Madison St.

Frankis.—Suddenly, on Sunday, 13th inst., of heart disease, Grouge W. Francis, in the 57th year of his age.

Relatives and friends of the family are respectfully

disease, Gronge W. Francis, in the 57th year of his age.

Relatives and friends of the family are respectfully invited to attend the funeral, on Wednesday, 16th inst., at half-past four P. M., from his late residence, 301 Gates av. Brooklyn. The remains will be taken to Hartford, Conn., for interment.

GEDNEY.—Monday morning, May 14, James G. GEDNEY, in the 50th year of his age.

Notice of tuneral hereafter.

HAMMATT.—Suddenly, on Monday morning, 14th inst., at her residence, Margaret S Hammatt, wife of Alfred Hammatt, in the 60th year of her age.

Rentitives and friends of the family are respectfully invited to attend the luneral, from her late residence, 416 Facific st., Brooklyn, on Thursday, May 17, at one P. M.

416 Pacific St., Brooklyn, on Thursday, May 11, across P. M.

HARTE.—On Monday, May 14, 1877, Martha Palmen, beloved wife of Thomas Harte, a native of Castle Durrow, Queens county, Ireland, in the 43d year of horage.

The funeral will take place from her late residence, 564 Clinton st., Brooklyn, on Wednesday, May 16, at two o'clock P. M. Interment at Cemetery of the Holy Cross, Fistbush.

Higgins.—Suddenly, on May 14, Richard Higgins, aced 53.

aged 53.

His funeral will take place from his late residence, 210 West 16th st. Relatives and friends are respectfully invited to attend.

HUMPHIRES.—On Monday, May 14, JOSEPH HUMPHIRES, in the 23d year of his age.

Relatives and friends are respectfully invited to attend the juneral, on Wednesslay. The remains will be taken from the residence of his parents, 73d East 5th st, at one P. M., sharp, to Emanuel Chapel, and from thence to Greenwood Cemeters.

JACKSON.—JAMES, only son of James and Clara C. Jackson.

3d av., Brooklyn.

KELLY.—On Monday morning, May 14, at her mother's residence, 666 Greenwich st., Miss Adulta Kelly, in her 20th year, native of Fintona, county Tyrone,

RELEY.—ON SUBMER MORNING, SAY IV., at her mother of resistence, 666 Greenwich Et., Miss Adella Kelly, in her 20th year, native of Fintona, county Tyrone, Ireland.

The funoral will take place on Wednesday morning, at ten o'clock, from St. Joseph's Church, where a requiem mass will be offered up for the repose of her soul. Relatives and friends are respectfully invited to attend.

LEDDY.—At Westchester, N. Y., on Monday, May 14, 1877, BERNARD LEDDY, aged 71 years.

The relatives and friends of the lamily are respectfully invited to attend the funeral, on Wednesday, May 16, 1877, at three o'clock P. M.

LOUKWOOD.—At New Rochelle, on Saturday, May 12, Revus Loukwoon, in his 87th year.

The relatives and friends of the family are respectfully invited to attend the funeral, on Tuesday, May 16, at two o'clock, from the Presbyterian Church, New Rochelle, Trains leave Grand Central Depot at 12 M.

MACY.—On Saturday, May 12, ELLA H., second daughter of Charles H. and Helen M. Macy, in the 17th year of her age.

Funoral services at the residence of her parents, Westchester av., opposite Prospect av., Tuesday, 15th inst., at two P. M. Carriages will meet the 1:30 P. M. Harlem train at Mott Haven.

MILLER.—On Sunday, May 13, Captain Samuel W. Miller.—On Saturday May 16, at two o'clock. Please send no flowers.

Philadelphia papers please copy.

MOTT.—On Saturday, May 12. at New Hackensack, Dirchess county, N. Y., Jane Elizabera, wife of Morgan L. Mott, aged 60 years.

Funoral will take place from her late residence, on Wednesday, 16th inst., at three o'clock P. M. Relatives and friends are respectfully invited to attend. Carriages will be in waiting at the depot, Poughkeepsie, along the arrival of trains leaving Grand Central Depot, New York, 9 and 10:30 A. M.

Mednesday, 16th inst., at three o'clock P. M. Relatives and friends are residence of Mr. F. G. Baker, 90 Lafayette av., Brooklyn, on Tuesday, at nall-past we M. Relatives and friends invited to attend.

Mednesday.—On the 14th inst., Mary, daughter of J. J. and Elizab

P. M. Relatives and friends invited to attend.

MURREY.—On the 14th inst., Marry, daughter of J. and Elizabeth E. Murrey, aged 4 years, 10 months an

and Elizabeth E. Murrey, agod 4 years, 10 months and 22 days.
The relatives and friends are invited to the funeral, from the residence of her parents, 93 Dupont st., Greenpoint, on Wednesday, 18th, at one P. M. McGinty.—On Sunday, May 13, Marx, beloved wife of Hugh McGinty, in the 33th year of her age. Relatives and friends are respectfully invited to at-tend the funeral, from her late residence, 15 Sullivan st., on Wednesday, 16th inst., at one o'clock. Londonderry (Ireland) and Philadelphia papers please copy.

Nelson (formerly Newson).—Suddenly, on Sunday, May 13, John W., 10 the 64th year of his age.

Relatives and friends are respectfully invited to attend the inneral, from his late residence, 59 East 128th st., on Wednesday, the 16th inst., at two o'clock P. M. O'BRIEN.—On Sunday, 13th inst., at two o'clock P. M. O'BRIEN.—On Sunday, 13th inst., at two o'clock P. M. O'BRIEN.—On May 14, 13th inst., at two o'clock P. M. O'BRIEN.—On May 14, at 266 West 41st st., Mary, beloved wife of Martin O'Keelo.

Due notice of luneral.

POTTERION.—On Monday, May 14, MARY ANN, wife or William Potterton, aged 34 years.

Relatives and friends, siso members of Corinthist Lodge, F. and A. M., No. 488, are respectfully invited to attend the inneral, from her late residence, No. 3: Charles st., on Wednessay next, at two P. M.

Ros.—Suddenly, Saturday, May 12, Luisa, eldest daughter of Rev. J. de Palma and wife of Antonio M.

Ros. aged 28 years.

Relatives and friends of the family are respectfully os, aged 28 years.
Relatives and friends of the family are respectfully

Relatives and friends of the family are respectfully invited to the inneral services, on Tuesday, May 15, at hatt-past nine o'clock A. M., from her late residence, 302 West 34th st. without further notice.

Renwick.—Suddenly, in this city, on Sunday morning, May 13, Harrierte McDoual, wile of William C. Renwick, and daughter of the late Peter McDoual, of Troy, in the 29th year of her age.

Funeral services from the Church of the Puritans, 130th st., near 5th av., Harriem, on Tuesday, 15th inst., at one o'clock. Interment at Troy.

REIS.—On Monday, May 14, AGNES CASSON, wile of Lewis Reis.

REIS.—On Monday, May 14, AONES CASSON, wite of Lewis Reis.
Funeral from her late residence, No. 356 East 74th st., on Wednesday, at one o'clock P. M.
SMITH -Suddenly, on Saturday, May 12, 1877, JE-ROYE B. SMITH, in the 45th year of his age.
Relatives and friends of the lamily are respectfully invited to attend the inneral from his late residence, 200 East 58th st., on Tucsday, May 15, at 11 A. M.
STELWAY,—On Monday morning, May 14, at his residence, 125 East 52d st., of typhoid fover, ALBERT STELWAY, of the firm of Steinway & Sons, in the 37th year of his age.

year of his age.

The funeral will take place on Wednesday, at one P.
M, from Steinway Hall. M. from Steinway Hull.

Surrox.—On Sunday, May 13, Virginia, eldest daughter of William and Amanda Sutton, in the 16th year of her age.

Relatives and triends are respectfully invited to attend the funeral, on Tuesday, May 15, at one o'clock P. M., from the residence of her parents, No. 506 West

TAYLOR. -On Saturday, May 12, LEWIS TAYLOR, aged TAYLOR —OB Saturday, may 12, Levis 12, 100, 86 years.

Relatives and friends of the family and of his sons.

Relatives and Anson are invited to attend the funeral, at the restocate of his son-in-law, Thomas L. Thornell, 34 West 51st st., Tuesday morning, 15th inst., ten

THORP .- At Saugatue, Conu., May 12, CHARLES A. THORP.
Functal services at Presbyterian Church, Norwalk, Tuesday alternoon three o'clock. Twelve o'clock train from New York.
THOMAS.—Ou Monday, May 14, THEODORS S., eldest son of Potter J. and Mary Thomas, in the 32d year of his age.
Relatives and friends are invited to attend the functal from No. 440 Gates av., Brooklyn, on Wedner.

Relatives and friends are invited to attend the funeral, from No. 440 Gates av., Brooklyn, on Wednesday, May 16, at two o'clock P. M.

Walsh —On Sunday, May 13, Michael R. Walsh.

The friends of the family are invited to attend the funeral, on Tuessay atternoon, at half-past one o'clock, from his late residence, 304 East 41st st. His remains will be interred in Caivary Gemetery.

Weldon, Mary A., only daughter of James and Louisa Weldon, aged 28 years.

Resilves and friends of the family are respectfully invited to attend the funeral, at her parents' residence, No. 154 Sterling place, Brooklyn, on Tuesday, 15th inst., at two P. M.

Whalks,—On Monday, May 14, 1877, after a long and painted tilness, Parrick Whalks, aged 56 years, a native of parish Ballyadams, Queens county, Ireland.

May his soul rost in peace. Amen.

Friends of the family are respectfully invited to attend the funeral, from his late residence, 224 East 26th st., at two P. M. on Wednesday. His remains will be interred in Caivary Cometery.